

# Order

Michigan Supreme Court  
Lansing, Michigan

December 11, 2009

Marilyn Kelly,  
Chief Justice

139413

Michael F. Cavanagh  
Elizabeth A. Weaver  
Maura D. Corrigan  
Robert P. Young, Jr.  
Stephen J. Markman  
Diane M. Hathaway,  
Justices

PEOPLE OF THE STATE OF MICHIGAN,  
Plaintiff-Appellee,

v

SC: 139413  
COA: 283954  
Ingham CC: 07-000500-FH

LEDELL MARVIN MUSHATT,  
Defendant-Appellant.

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On order of the Court, the application for leave to appeal the June 23, 2009 judgment of the Court of Appeals is considered. We direct the Clerk to schedule oral argument on whether to grant the application or take other preemptory action. MCR 7.302(H)(1). At oral argument, the parties shall address whether offense variable 3 was scored in accordance with *People v McGraw*, 484 Mich 120 (2009). The parties may file supplemental briefs limited to this issue within 42 days of the date of this order, but they should not submit mere restatements of their application papers.



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I, Corbin R. Davis, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

December 11, 2009

*Corbin R. Davis*

Clerk